

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

JUAN JOHNSON,	)	
	)	
Plaintiff,	)	05 C 1042
	)	
v.	)	Judge Grady
	)	
REYNALDO GUEVARA, and the	)	
CITY OF CHICAGO,	)	
	)	
Defendants.	)	

**PLAINTIFF'S MOTION IN LIMINE NO. 16  
TO BAR REFERENCES TO THE FACT THAT WITNESSES  
HAVE BEEN INCARCERATED**

NOW COMES Plaintiff, JUAN JOHNSON, by his counsel, and respectfully brings the following motion *in limine*.


**Discussion**

As set forth in Plaintiff's first motion *in limine*, Rule 609 prohibits the introduction of convictions unless they meet certain standards of admissibility. As far as Plaintiff can ascertain, there are no such convictions in this case.

It would be unfair to permit the defense to circumvent the purpose of Rule 609 by referencing the fact that a given witness has been incarcerated. Any such references should be barred. United States v. Gilmore, 454 F.3d 725, 727-28 (7th Cir. 2006) (district court granted a motion *in limine* to bar references to a party's prior incarceration); Smith ex rel. Smith v. Cook County, 2009 WL 961234, at \*4-5 (N.D. Ill. Apr. 8, 2009) (same).

WHEREFORE, Defendants should be barred from referencing any prior incarceration by the witnesses in this case.

RESPECTFULLY SUBMITTED,

  
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